

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL and KELLY YURCIC	:	
	:	
Plaintiffs,	:	
	:	Case No. 02-CV-3737
vs.	:	
	:	
PURDUE PHARMA, L.P., PURDUE	:	
PHARMA, INC., PURDUE FREDERICK	:	JURY TRIAL DEMANDED
COMPANY and ABBOTT	:	
LABORATORIES, ABBOTT	:	
LABORATORIES, INC. and	:	
MORTON RUBIN, M.D. and	:	
HOWARD R. CORBIN, M.D.	:	
	:	
Defendants.	:	

**RESPONSE OF ABBOTT LABORATORIES AND ABBOTT LABORATORIES, INC.
JOINING IN THE MOTION FILED BY DEFENDANTS, PURDUE PHARMA, L.P.,
PURDUE PHARMA, INC. AND PURDUE FREDERICK COMPANY TO
TRANSFER VENUE PURSUANT TO TITLE 28 U.S.C. § 1404(a)**

Defendants, Abbott Laboratories and Abbott Laboratories, Inc. (hereinafter collectively referred to as “Abbott”), hereby join in the Motion to Transfer Venue Pursuant to Title 28 U.S.C. § 1404(a) filed by Purdue Pharma, L.P., Purdue Pharma, Inc. and Purdue Frederick Company (hereinafter collectively referred to as “Purdue”), and in addition state as follows.

1. Plaintiffs filed a Complaint against Purdue, Abbott, Morton Rubin, M.D. and Howard R. Cohen, M.D. alleging various theories of negligence, breach of express warranty, fraud and medical malpractice in connection with OxyContin®, a federally-approved opioid prescription pain medication.
2. At all times relevant to this case, Drs. Rubin and Cohen maintained medical practices

in Mechanicsburg, Pennsylvania, which is located in the Middle District of Pennsylvania.

3. Robert D. Satterlee is the Area Sales Director for Area J for the Hospital Products Division of Abbott Laboratories, which includes the territory of Harrisburg, Pennsylvania. An Affidavit of Robert D. Satterlee is attached hereto at Exhibit A.

4. No Abbott sales representatives from the Eastern District of Pennsylvania promoted OxyContin® to Drs. Rubin and Cohen. *See Exhibit A.*

5. Accordingly, for the reasons stated in Purdue's Motion to Transfer Venue and those stated above, it would be more convenient for all parties and witnesses if this case were transferred to the Middle District of Pennsylvania.

Respectfully submitted,

LAVIN, COLEMAN, O'NEIL, RICCI, FINARELLI & GRAY

BY: _____
Joseph E. O'Neil, Esquire
Attorneys for Defendants,
Abbott Laboratories and
Abbott Laboratories, Inc.

DATED: _____

Of Counsel:

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CERTIFICATE OF SERVICE

I, Joseph E. O'Neil, Esquire, hereby certify that a copy of the foregoing Response of Abbott Laboratories and Abbott Laboratories, Inc. Joining in the Motion Filed by Defendants, Purdue Pharma, L.P., Purdue Pharma, Inc. and Purdue Frederick Company to Transfer Venue Pursuant to Title 28 U.S.C. § 1404(a) was mailed to the following by first class mail, postage prepaid, this

_____ day of _____, 2002:

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